

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

DANIEL AZCONA,

Plaintiff,

v.

FLORINCO R.,

Defendant.

Case No. 23cv0517 (EP) (JSA)

**MEMORANDUM ORDER**

**PADIN, District Judge.**

On January 27, 2023, Plaintiff Daniel Azcona filed a civil rights complaint pursuant to 42 U.S.C. § 1983 . D.E. 1 (“Compl.”). On February 23, 2023, the Court granted Azcona’s *in forma pauperis* application and permitted the complaint to proceed against Defendant Florinco R. D.E. 6. On April 18, 2023, the Clerk’s Office mailed U.S. Marshal Form 285 to Azcona. D.E. 15.

On August 3, 2023, the Court issued an Order to Show Cause directing Azcona to state why the complaint should not be dismissed based on Azcona’s failure to file proof of service as required by Federal Rule of Civil Procedure 4(m). D.E. 22. On August 23, 2023, the Order to Show Cause was returned as undeliverable. D.E. 23. The post office label on the envelope, dated August 16, 2023, stated “Return to Sender. Attempted – not known. Unable to forward.” *Id.* at 1.

Under the Court’s Local Rules, “[c]ounsel and/or unrepresented parties must advise the Court of any change in their or their client’s address within seven days of being apprised of such

change by filing a notice of said change with the Clerk.” L.Civ.R.10.1(a). In violation of Local Civil Rule 10.1, Azcona has not communicated with the Court regarding a change of address. “Failure to file a notice of address change may result in the imposition of sanctions by the Court.” L.Civ.R.10.1(a). Accordingly, the Clerk of the Court will be ordered to **ADMINISTRATIVELY TERMINATE** this case. Azcona may reopen this complaint by submitting his updated address.


**IT IS**, on this 28th day of August, 2023;

**ORDERED** that the Clerk of the Court shall **ADMINISTRATIVELY TERMINATE** this complaint under Local Civil Rule 10.1; and it is further

**ORDERED** that Plaintiff may reopen his complaint by submitting his current address. The Clerk shall **REOPEN** this complaint upon receipt of Plaintiff’s updated address; and it is finally

**ORDERED** that the Clerk of the Court shall send a copy of this Order to Plaintiff by regular mail at his last known address.

Dated: August 28, 2023

  
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Evelyn Padin, U.S.D.J.